

ORIGINAL**FILED**

MAY - 4 2010

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

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Attorneys for Plaintiff
AUTODESK, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ADR

C10-01918 CW

AUTODESK, INC., a Delaware
corporation,

Plaintiff,

v.

ADVANTEC CONSULTING
ENGINEERS, INC., a California
corporation,

Defendant.

CASE NO.

**COMPLAINT FOR DAMAGES AND
INJUNCTIVE RELIEF**

1. Copyright Infringement;
2. Circumvention of Copyright Protection Measures

1 Plaintiff Autodesk, Inc. ("Autodesk") states and alleges as follows for its complaint
2 against defendant ADVANTEC Consulting Engineers, Inc. ("Defendant").

3 JURISDICTION AND VENUE

4 Parties

5 1. Autodesk is a Delaware corporation with its principal place of business in San
6 Rafael, California.

7 2. Autodesk is informed and believes and thereon alleges that Defendant is a
8 California corporation with its principal place of business in Diamond Bar, California.

9 Jurisdiction

10 3. This case is a civil action arising under the copyright laws of the United States, 17
11 U.S.C. § 101, *et seq.* (the "Copyright Act"). This Court has subject matter jurisdiction over
12 Autodesk's claims pursuant to 17 U.S.C. § 501, *et seq.* (copyright), 28 U.S.C. § 1331 (federal
13 subject matter jurisdiction), and 28 U.S.C. § 1338(a) (copyright actions).

14 4. Autodesk is informed and believes and thereon alleges that Defendant knew, or
15 reasonably should have known, that Autodesk: (a) is located in California, and that Defendant
16 directed and aimed its unauthorized activities at Autodesk, which is located in the Northern
17 District of California; and (b) would likely suffer the brunt of the harm caused by Defendant in
18 California at Autodesk's principal place of business. Defendant's activities complained of herein
19 caused Autodesk to bear the brunt of the harm in California at its principal place of business in
20 San Rafael, California within this District.

21 Venue

22 5. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b), and (c) and
23 1400(a).

24 Intradistrict Assignment

25 6. Because this matter is an Intellectual Property Action, there is no basis for
26 assignment to a particular location or division of the Court pursuant to Civil L.R. 3-2(c).

27 ///

28 ///

GENERAL ALLEGATIONS

Introduction

7. Autodesk is in the business of, and has made and continues to make substantial investments of time, effort, and expense in, designing, developing, testing, manufacturing, publishing, marketing, distributing, and licensing a wide variety of software products recorded on various media, including without limitation optical disks, for use on computers.

8. In connection with Autodesk's software products, Autodesk owns copyrights that are the subject of registrations with the United States Copyright Office.

9. Widespread use of illegal copies of Autodesk's software products (commonly known as software piracy) has caused and continues to cause significant harm to Autodesk and undermines Autodesk's investments in its products.

10. Autodesk brings this action as a result of Defendant's unauthorized reproduction and use of certain of Autodesk's software products and Defendant's unauthorized circumvention of technological measures incorporated into Autodesk's software products that effectively control access to those products. Defendant's actions and omissions complained of herein were and continue to be undertaken willfully, intentionally, and maliciously and have caused and continue to cause substantial damage to Autodesk.

11. Autodesk respectfully requests that the Court enter an injunction against Defendant and award Autodesk damages, costs, and attorney's fees as allowed by statute.

Autodesk's Software Products and Copyrights

12. Autodesk's software products include computer aided design and other design programs, such as AutoCAD® 2006 software, AutoCAD® 2008 software, AutoCAD® 2009 software, AutoCAD® Civil 3D® 2008 software, AutoCAD® Civil 3D® 2009 software, and AutoCAD® Map 3D 2008 software. These products along with their reference materials are hereinafter collectively referred to as the "Autodesk Products."

13. The Autodesk Products contain a large amount of material that is wholly original with Autodesk and is copyrightable subject matter under the laws of the United States. At all times herein relevant, Autodesk complied in all respects with the Copyright Act and secured the

1 exclusive rights and privileges in and to the copyrights in the Autodesk Products (collectively the
2 “Autodesk Copyrights”).

3 14. Each of the Autodesk Products is an original work, copyrightable under the
4 Copyright Act, and has been timely registered in full compliance with the Copyright Act.
5 Autodesk has received a Certificate of Registration from the Register of Copyrights for each of
6 the Autodesk Products, copies of which are attached as Exhibit A hereto and incorporated herein
7 by reference.

8 15. Since the registration of the Autodesk Copyrights, the Autodesk Products have
9 been published and distributed by Autodesk or under its authority in compliance with the
10 provisions of the Copyright Act. Autodesk has thus fully maintained the validity of the
11 copyrights in the Autodesk Products.

12 16. Autodesk has never authorized Defendant to copy or reproduce the Autodesk
13 Products in violation of any applicable end-user license agreement or circumvent the
14 technological measures in the Autodesk Products that effectively control access thereto.

15 **The Business and Infringing Activities of Defendant**

16 17. Autodesk is informed and believes and thereon alleges that Defendant is an
17 engineering firm that specializes in the planning, design and implementation of intelligent
18 transportation systems and advanced technology solutions. Autodesk is informed and believes
19 and thereon alleges that in conducting its business Defendant has engaged in the unauthorized
20 reproduction of certain of the Autodesk Products onto computers located at its premises and that
21 Defendant uses copies of the Autodesk Products.

22 18. Autodesk is informed and believes and thereon alleges that Defendant has
23 purchased at least one license for Autodesk’s AutoCAD® Map 3D 2008 software.

24 19. Autodesk is informed and believes and thereon alleges that, without Autodesk’s
25 authorization, Defendant has: (a) copied and reproduced certain of the Autodesk Products; and
26 (b) circumvented technological measures that effectively control access to the Autodesk Products
27 (collectively, the “Access Control Technology”).

28 ///

20. Autodesk is informed and believes and thereon alleges that Defendant has willfully, intentionally, and maliciously engaged in the acts and omissions complained of herein without regard to Autodesk's proprietary rights.

FIRST CLAIM FOR RELIEF

(Copyright Infringement)

21. Autodesk re-alleges and incorporates herein by this reference each of the allegations contained in Paragraphs 1 through 20 above as though fully set forth.

22. Defendant's acts and omissions constitute willful, intentional, and malicious infringement of the Autodesk Copyrights in violation of the Copyright Act, 17 U.S.C. § 501.

23. Defendant's willful, intentional, and malicious copyright infringement has caused, and will continue to cause, Autodesk to suffer substantial injuries, loss, and damage to its proprietary and exclusive rights to the Autodesk Products and the Autodesk Copyrights and has and will continue to cause Autodesk to lose profits in an amount not yet ascertained.

24. Defendant's copyright infringement, and the threat of continuing infringement by Defendant, has caused and will continue to cause Autodesk to suffer repeated and irreparable injury. It would be difficult to ascertain the amount of money damages that would afford Autodesk adequate relief at law for Defendant's continuing acts and omissions complained of herein and a multiplicity of judicial proceedings would be required. Autodesk's remedy at law is not adequate to compensate Autodesk for the injuries already inflicted and further threatened by Defendant. Therefore, Autodesk respectfully requests as prayed for below that Defendant be restrained and enjoined as authorized by the Copyright Act.

WHEREFORE, Autodesk seeks relief as set forth below.

SECOND CLAIM FOR RELIEF

(Circumvention of Copyright Protection Measures)

25. Autodesk re-alleges and incorporates herein by this reference each of the allegations contained in Paragraphs 1 through 24 above as though fully set forth.

26. The Autodesk Products contain Access Control Technology.

///

27. Autodesk is informed and believes and thereon alleges that, without Autodesk's authorization, Defendant willfully, intentionally, and maliciously circumvented the Access Control Technology in violation of 17 U.S.C. § 1201(a).

28. Defendant's willful, intentional, and malicious circumvention of the Access Control Technology has caused and will continue to cause Autodesk to suffer substantial injuries, loss, and damage to its proprietary and exclusive rights to the Autodesk Products and the Autodesk Copyrights and has and will continue to cause Autodesk to lose profits in an amount not yet ascertained.

29. Defendant's circumvention of the Access Control Technology, and the threat of continuing circumvention, has and will continue to cause Autodesk to suffer repeated and irreparable injury. It would be difficult to ascertain the amount of money damages that would afford Autodesk adequate relief at law for Defendant's continuing acts and omissions complained of herein and a multiplicity of judicial proceedings would be required. Autodesk's remedy at law is not adequate to compensate it for the injuries already inflicted and further threatened by Defendant. Therefore, Autodesk respectfully requests as prayed for below that Defendant be restrained and enjoined as authorized by the Copyright Act and any device or product in Defendant's possession, custody, or control that enabled or was involved in the circumvention should be impounded pursuant to 17 U.S.C. § 1203(b).

PRAYER FOR RELIEF

WHEREFORE, Autodesk seeks relief as follows:

1. That, upon motion, the Court issue a preliminary injunction enjoining and restraining Defendant and its agents, servants, employees, successors and assigns, and all other persons acting in concert or conspiracy with Defendant or affiliated with Defendant, from:

(a) Copying, reproducing, distributing, or using any unauthorized copies of Autodesk's copyrighted software products;

(b) Otherwise infringing any of Autodesk's copyrights;

(c) Circumventing any technological measure that effectively controls access to any of Autodesk's software products;

1 (d) Destroying, or otherwise disposing of, or altering any copies of software or
 2 other products, materials, technologies, services, devices, components, documents, or
 3 electronically stored data or files that relate or pertain in any way to the:

4 (i) Copying, reproduction, distribution or use of any of Autodesk's
 5 software products;

6 (ii) Circumvention of any technological measure that effectively
 7 controls access to any of Autodesk's software products; or

8 (iii) Infringement of any of Autodesk's copyrights.

9 2. That the Court issue a permanent injunction making permanent the orders
 10 requested in paragraphs 1(a) through (c) of this Prayer for Relief;

11 3. That, upon motion, the Court issue a preliminary injunction impounding any
 12 device or product in Defendant's possession, custody, or control that has been involved in or is
 13 connected to Defendant's circumvention of any technological measure that effectively controls
 14 access to any of Autodesk's software products;

15 4. That Autodesk be awarded for Defendant's willful, intentional, and malicious
 16 copyright infringement either: (a) actual damages in an amount to be determined at trial, together
 17 with the profits derived from Defendant's infringement of Autodesk's copyrighted software
 18 products; or (b) statutory damages for each act of infringement in an amount provided by law, as
 19 set forth in 17 U.S.C. § 504, at Autodesk's election before the entry of a final judgment;

20 5. That Autodesk be awarded for Defendant's willful, intentional, and malicious
 21 circumvention of technological copyright protection measures either: (a) actual damages in an
 22 amount to be determined at trial, together with the profits derived from Defendant's
 23 circumvention; or (b) statutory damages for each violation in an amount provided by law, as set
 24 forth in 17 U.S.C. § 1203(c), at Autodesk's election before the entry of a final judgment;

25 6. That the Court issue an order upon entry of judgment in this action requiring
 26 Defendant to destroy any and all infringing copies in Defendant's possession, custody, or control
 27 of Autodesk's software products, as set forth by the Copyright Act, 17 U.S.C. § 503(b);

28 ///

1 7. That the Court issue an order upon judgment requiring Defendant to destroy any
2 device or product involved in Defendant's circumvention of any technological measure that
3 effectively controls access to any of Autodesk's software products, as set forth by the Copyright
4 Act, 17 U.S.C. § 1203(b)(6);

5 8. That the Court issue an order requiring Defendant to serve on Autodesk within
6 thirty (30) days after service of an injunction a report, in writing, under oath, setting forth in detail
7 the manner and form in which Defendant has complied with the injunction;

8 9. That the Court award Autodesk its reasonable attorney's fees pursuant to 17
9 U.S.C. §§ 505 and 1203(b);

10 10. That the Court award Autodesk its costs of suit incurred herein; and

11 11. That the Court grant such other and further relief as it deems just and proper.

12 Dated: May 4, 2010

DONAHUE GALLAGHER WOODS LLP

13
14 By: _____

Julie E. Hofer
Attorneys for Plaintiff
AUTODESK, INC.

EXHIBIT A

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

FORM TX

For a Literary Work

L
R

TX 6-125-535



TX0006125535

EFFECTIVE DATE OF REGISTRATION

4 14 2005
Month Day Year

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

1

TITLE OF THIS WORK ▼

AutoCAD 2006 and User's Guide

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared Title of Collective Work ▼

If published in a periodical or serial give Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2

NAME OF AUTHOR ▼

a Autodesk, Inc.

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of USA
Domiciled in USA

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No

Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is Yes, see detailed instructions

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed ▼

New and revised software code and User's Guide

NOTE

Under the law the author of a work made for hire is generally the employer not the employee (see instructions). For any part of this work that was made for hire check Yes in the space provided give the employer (or other person for whom the work was prepared) as Author of that part and leave the space for dates of birth and death blank.

NAME OF AUTHOR ▼

b

Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of USA
Domiciled in USA

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No

Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is Yes, see detailed instructions

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed ▼

NAME OF AUTHOR ▼

c

Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No

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Name of Country

OR { Citizen of USA
Domiciled in USA

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

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Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is Yes, see detailed instructions

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed ▼

3

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

2005

This information must be given in all cases

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information ONLY if this work has been published Month March Day 15 Year 2005

United States of America Nation

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2 ▼

Autodesk, Inc.
111 McInnis Parkway
San Rafael, CA 94903

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright ▼

APPLICATION RECEIVED

APR 14 2005

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

APR 14 2005

FUNDS RECEIVED

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Page 1 of 2 pages

EXHIBIT A

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FORM TX

CHECKED BY

☐ CORRESPONDENCE

Yes

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COPYRIGHT
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USE
ONLY

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

PREVIOUS REGISTRATION Has registration for this work or for an earlier version of this work already been made in the Copyright Office?

☒ Yes ☐ No If your answer is "Yes" why is another registration being sought? (Check appropriate box) ▼a ☐ This is the first published edition of a work previously registered in unpublished formb ☐ This is the first application submitted by this author as copyright claimantc ☒ This is a changed version of the work as shown by space 6 on this application

If your answer is "Yes" give Previous Registration Number ▼

TX 5-958-414

Year of Registration ▼

2004

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work complete only 6b for a compilation

a Preexisting Material Identify any preexisting work or works that this work is based on or incorporates ▼

AutoCAD 2005 and User's Guide, miscellaneous licensed software

b Material Added to This Work Give a brief general statement of the material that has been added to this work and in which copyright is claimed ▼

New and revised software code and User's Guide

—space deleted—

REPRODUCTION FOR USE OF BLIND OR PHYSICALLY HANDICAPPED INDIVIDUALS A signature on this form at space 10 and a check in one of the boxes here in space 8 constitutes a non exclusive grant of permission to the Library of Congress to reproduce and distribute solely for the blind and physically handicapped and under the conditions and limitations prescribed by the regulations of the Copyright Office (1) copies of the work identified in space 1 of this application in Braille (or similar tactile symbols) or (2) phonorecords embodying a fixation of a reading of that work or (3) both

a ☐ Copies and Phonorecordsb ☐ Copies Onlyc ☐ Phonorecords Only

See instructions

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office give name and number of Account

Name ▼

Donahue Gallagher Woods LLP

Account Number ▼

DAO81221

CORRESPONDENCE Give name and address to which correspondence about this application should be sent Name/Address/Apt./City/State/ZIP ▼

Jonathan N Osder, Esq

DONAHUE GALLAGHER WOODS LLP

591 Redwood Highway, Suite 1200, Mill Valley, CA 94941

Area Code and Telephone Number ▶ (415) 381-4161

Be sure to
give your
daytime phone
number

CERTIFICATION* I the undersigned hereby certify that I am the

Check only one ▶

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of Autodesk Inc

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge

Name of author or other copyright claimant or owner of exclusive right(s) ▲

Typed or printed name and date ▼ If this application gives a date of publication in space 3 do not sign and submit it before that date

Jonathan N Osder

Date ▶ 11 April 2005

Handwritten signature (X) ▼

MAIL
CERTIFI-
CATE TOCertificate
will be
mailed in
window
envelope

Name ▼

Jonathan N Osder Esq DONAHUE GALLAGHER WOODS LLP

Number/Street/Apt ▼

591 Redwood Highway, Suite 1200

City/State/ZIP ▼

Mill Valley, CA 94941

YOU MUST

Complete all necessary spaces

Sign your application in space 10

SEND ALL ELEMENTS

IN THE SAME PACKAGE

1 Application form

2 Nonrefundable \$20 filing fee

in check or money order

payable to Register of Copyrights

3 Deposit material

BY MAIL TO

Register of Copyrights

Library of Congress

Washington D.C. 20559-4000

17 U.S.C. § 506(e) Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408 or in any written statement filed in connection with the application shall be fined not more than \$2 500

May 1995—300 000

U.S. COPYRIGHT OFFICE WWW FORM 1995

EXHIBIT A

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Form TX
For a Non-dramatic Literary Work
UNITED STATES COPYRIGHT OFFICE

TX 6-576-172



EFFECTIVE DATE OF REGISTRATION

MAY 18 2007
Month Day Year

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

1

TITLE OF THIS WORK ▼

AutoCAD 2008 and User's Guide

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION ▼ If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2

a NAME OF AUTHOR ▼

Autodesk, Inc.

DATES OF BIRTH AND DEATH ▼
Year Born ▼ Year Died ▼

Was this contribution to the work a work made for hire?
☒ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE ▼

Name of Country

OR { Citizen of ► USA
Domiciled in ►

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK ▼

Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes" see detailed instructions

NATURE OF AUTHORSHIP ▼ Briefly describe nature of material created by this author in which copyright is claimed

New and revised software code and user's guide

NOTE

Under the law the author of a work made for hire is generally the employer not the employee (see instructions). For any part of this work that was made for hire check "Yes" in the space provided give the employer (or other person for whom the work was prepared) as Author of that part and leave the space for dates of birth and death blank.

b NAME OF AUTHOR ▼

Was this contribution to the work a work made for hire?
☐ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE ▼

Name of Country

OR { Citizen of ►
Domiciled in ►

DATES OF BIRTH AND DEATH ▼
Year Born ▼ Year Died ▼

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Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes" see detailed instructions

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c NAME OF AUTHOR ▼

Was this contribution to the work a work made for hire?
☐ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE ▼

Name of Country

OR { Citizen of ►
Domiciled in ►

DATES OF BIRTH AND DEATH ▼
Year Born ▼ Year Died ▼

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Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes" see detailed instructions

NATURE OF AUTHORSHIP ▼ Briefly describe nature of material created by this author in which copyright is claimed

3

a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED ▼
2007
This information must be given ONLY if this work has been published

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK ▼
Month ► March Day ► 23 Year ► 2007
United States of America

4

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2 ▼

Autodesk, Inc.
111 McInnis Parkway
San Rafael, CA 94903

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright ▼

APPLICATION RECEIVED
MAY 18 2007

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED
MAY 18 2007

FUNDS RECEIVED

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Page 1 of 2 pages

EXHIBIT A

EXAMINED BY <u>SM</u>	FORM TX
CHECKED BY _____	
<input type="checkbox"/> CORRESPONDENCE	FOR
<input type="checkbox"/> Yes	COPYRIGHT
	OFFICE
	USE
	ONLY

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

PREVIOUS REGISTRATION Has registration for this work or for an earlier version of this work, already been made in the Copyright Office?

☒ Yes ☐ No If your answer is Yes why is another registration being sought? (Check appropriate box.)a ☐ This is the first published edition of a work previously registered in unpublished formb ☐ This is the first application submitted by this author as copyright claimantc ☒ This is a changed version of the work, as shown by space 6 on this application

If your answer is Yes give Previous Registration Number

TX 6-363-178

Year of Registration

2006

DERIVATIVE WORK OR COMPILATION

Presenting Material Identify any presenting work or works that this work is based on or incorporates

AutoCAD 2007 and User's Guide, miscellaneous licensed software

Material Added to This Work Give a brief general statement of the material that has been added to this work and in which copyright is claimed

New and revised software code and user's guide

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office give name and number of Account

Donahue Gallagher Woods LLP

DAO81221

CORRESPONDENCE Give name and address to which correspondence about this application should be sent Name/Address/Apt/City/State/Zip

Jonathan N Oser, Esq

DONAHUE GALLAGHER WOODS LLP

591 Redwood Highway, Suite 1200, Mill Valley, CA 94941

Area code and daytime telephone number 415-381-4161

Fax number 415-381-7515

Email

jon@donahue.com

CERTIFICATION I the undersigned hereby certify that I am the

Check only one

- ☐ author
☐ other copyright claimant
☐ owner of exclusive right(s)
☒ authorized agent of Autodesk, Inc.

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge

Name of author or other copyright claimant or owner of exclusive right(s)

Typed or printed name and date If this application gives a date of publication in space 3 do not sign and submit it before that date

Jonathan N Oser

Date May 15, 2007

Handwritten signature

Certificate will be mailed in window envelope to this address

Name

Jonathan N Oser, Esq

DONAHUE GALLAGHER WOODS LLP

Number/Street/Apt

591 Redwood Highway, Suite 1200

City/State/Zip

Mill Valley, CA 94941

Complete all necessary spaces
Sign your application in space 8

1 Application form
 2 Non-refundable filing fee in check or money order payable to Register of Copyrights
 3 Deposit material

Library of Congress
 Copyright Office
 101 Independence Avenue SE
 Washington DC 20540-4022

17 USC (506) Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408 or in any written statement filed in connection with the application shall be fined not more than \$2,500

Form TX - PLS Rev 11/2006 Print 11/2006 - 30 000 Printed on recycled paper

US Government Printing Office 2006-10-10/50 100

EXHIBIT A

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Registration Number:

TX 6-861-815

**Effective date of
registration:**

June 2, 2008

Title _____

Title of Work: AutoCAD 2009 and User Assistance Cue Cards

Completion/ Publication _____

Year of Completion: 2008

Date of 1st Publication: March 25, 2008

Nation of 1st Publication: United States

Author _____

■ **Author:** Autodesk, Inc.

Author Created: computer program

Work made for hire: Yes

Domiciled in: United States

Copyright claimant _____

Copyright Claimant: Autodesk, Inc.

111 McInnis Parkway, San Rafael, CA, 94903, United States

Limitation of copyright claim _____

Material excluded from this claim: Miscellaneous licensed software.

Previous registration and year: TX 6 576 172 2007

New material included in claim: New and revised software code and user assistance cue cards.

Rights and Permissions _____

Organization Name: Donahue Gallagher Woods LLP

Name: Jonathan N. Osder

Email: jon@donahue.com

Telephone: 415381-416-1223

Address: 591 Redwood Highway

Suite 1200

Mill Valley, CA 94941 United States

Certification

Name: Jonathan N. Osder

Date: June 2, 2008

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Form TX
For a Nondramatic Literary Work
UNITED STATES COPYRIGHT OFFICE

TX 6-646-617

TX 6-646-617

EFFECTIVE DATE OF REGISTRATION
JUNE 7, 2007

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK ▼

AutoCAD Civil 3D 2008

PREVIOUS OR ALTERNATIVE TITLES ▼

AutoCAD Civil 3D 2008 with AutoCAD Civil 3D Land Desktop Companion 2008

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2

NAME OF AUTHOR ▼

a Autodesk, Inc.

Was this contribution to the work a "work made for hire"?

☒ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of U.S.A.
Domiciled in U.S.A.

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was made for hire, check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

New and revised software code.

NAME OF AUTHOR ▼

b

Was this contribution to the work a "work made for hire"?

☐ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of U.S.A.
Domiciled in U.S.A.

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

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Pseudonymous? ☐ Yes ☐ No

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NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

NAME OF AUTHOR ▼

c

Was this contribution to the work a "work made for hire"?

☐ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

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OR Citizen of U.S.A.
Domiciled in U.S.A.

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

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Pseudonymous? ☐ Yes ☐ No

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NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

3

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

2007

This information must be given in all cases.

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information Month April Day 16 Year 2007

ONLY if this work has been published. United States of America

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Autodesk, Inc.
111 McInnis Parkway
San Rafael, CA 94903

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

JUN 07 2007

ONE DEPOSIT RECEIVED

JUN 07 2007

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

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• Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
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Page 1 of 2 pages

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FORM TX

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☒ Yes ☐ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼a. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first published edition of a work previously registered in unpublished form.c. ☒ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▶

TX 6-380-596

Year of Registration ▶

2006

DERIVATIVE WORK OR COMPILATION

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

Autodesk Civil 3D 2007; miscellaneous licensed software.

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

New and revised software code.

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ Account Number ▼

Donahue Gallagher Woods LLP

DAO81221

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name / Address / Apt / City / State / Zip ▼

Jonathan N. Osder, Esq.

DONAHUE GALLAGHER WOODS LLP

591 Redwood Highway, Suite 1200, Mill Valley, CA 94941

Area code and daytime telephone number ▶ 415-381-4161

Fax number ▶ 415-381-7515

Email ▶ jon@donahue.com

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▶

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of Autodesk, Inc.

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Jonathan N. Osder

Date ▶ June 7, 2007

Handwritten signature ▼

Certificate
will be
mailed in
window
envelope
to this
address:

Name ▼

Jonathan N. Osder, Esq.

DONAHUE GALLAGHER WOODS LLP

Number/Street/Apt ▼

591 Redwood Highway, Suite 1200

City/State/Zip ▼

Mill Valley, CA 94941

YOU MUST

• Complete all necessary spaces

• Sign your application in space 8

STANDARD FEES ARE:

1. Application form

2. Nonrefundable filing fee in check or money

order payable to Register of Copyrights

3. Deposit material

MAIL TO:

Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6222

*17 USC §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Form TX - Full Rev. 11/2006 Print: 11/2006 - 20,000 Printed on recycled paper

U.S. Government Printing Office: 2006-30-500/00-000

EXHIBIT A

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America



Registration Number:

TX 6-887-553

Effective date of
registration:

July 1, 2008

Title

Title of Work: AutoCAD Civil 3D 2009

Completion/Publication

Year of Completion: 2008

Date of 1st Publication: April 15, 2008

Nation of 1st Publication: United States

Author

■ Author: Autodesk, Inc.

Author Created: computer program

Work made for hire: Yes

Domiciled in: United States

Copyright claimant

Copyright Claimant: Autodesk, Inc.

111 McInnis Parkway, San Rafael, CA, 94903, United States

Limitation of copyright claim

Material excluded from this claim: Miscellaneous licensed software.

Previous registration and year: PENDING PENDING

TX 6380596 2006

New material included in claim: New and revised software code.

Rights and Permissions

Organization Name: Donahue Gallagher Woods LLP

Name: Jonathan N. Osder

Email: jon@donahue.com

Telephone: 415-381-4161

Address: 591 Redwood Highway, Suite 1200

Mill Valley, CA 94941 United States

Certification

Name: Jonathan N. Osder

Date: July 1, 2008

Certificate of Registration



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Marybeth Peters

Register of Copyrights, United States of America

Form TX
For a Nondramatic Literary Work
UNITED STATES COPYRIGHT OFFICE

TX 6-586-419



EFFECTIVE DATE OF REGISTRATION

JUN 21 2007
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK ▼

AutoCAD Map 3D 2008 and User's Guide

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼

Number ▼

Issue Date ▼

On Pages ▼

2

NAME OF AUTHOR ▼

a Autodesk, Inc.

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

Was this contribution to the work a "work made for hire?"

☒ Yes

☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of ▼

Domiciled in U.S.A.

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No

Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

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NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

New and revised software code and user's guide.

NAME OF AUTHOR ▼

b

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

Was this contribution to the work a "work made for hire?"

☐ Yes

☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of ▼

Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

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Pseudonymous? ☐ Yes ☐ No

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c

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3

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED
2007

This information must be given in all cases.

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information ONLY if this work has been published.

Month April Day 12 Year 2007

United States of America

Nation

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Autodesk, Inc.

111 McInnis Parkway

San Rafael, CA 94903

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

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Page 1 of 2 pages

EXHIBIT A

EXAMINED BY HM

FORM TX

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☐ CORRESPONDENCE
☐ Yes
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PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☒ Yes ☐ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼
a. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first application submitted by this author as copyright claimant.c. ☒ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes" give Previous Registration Number ▶

TX 6-447-048

Year of Registration ▶

2007

5

DERIVATIVE WORK OR COMPILATION

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

Autodesk Map 3D 2007; miscellaneous licensed software.

a

6

See instructions
before completing
this space.

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

New and revised software code and user's guide.

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼

Account Number ▼

Donahue Gallagher Woods LLP

DAO81221

a

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name / Address / Apt / City / State / Zip ▼

Jonathan N. Osder, Esq.

DONAHUE GALLAGHER WOODS LLP

591 Redwood Highway, Suite 1200, Mill Valley, CA 94941

b

Area code and daytime telephone number ▶ 415-381-4161

Fax number ▶ 415-381-7515

Email ▶

jon@donahue.com

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of Autodesk, Inc.

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

8

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Jonathan N. Osder

Date ▶ June 20, 2007

Handwritten signature ▼

Certificate
will be
mailed in
window
envelope to
this
address:

Name ▼

Jonathan N. Osder, Esq.

DONAHUE GALLAGHER WOODS LLP

Number/Street/Apt ▼

591 Redwood Highway, Suite 1200

City/State/Zip ▼

Mill Valley, CA 94941

YOU MUST

- Complete all necessary spaces

- Sign your application in space 8

SEND ALL ELEMENTS

IN THE SAME PACKAGE

1. Application form

2. Nonrefundable filing fee in check or money

order payable to Register of Copyrights

3. Deposit material

MAIL TO

Library of Congress

Copyright Office

101 Independence Avenue SE

Washington, DC 20558-6222

9

*17 USC §508(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

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U.S. Government Printing Office: 2006-20-700/80,100

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